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1655

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Total Number of Pages in This Submission

Application Number

10/500,098

Filing Date

12/17/02

First Named Inventor

Frame, Anne D.

Art Unit

1655

Examiner Name

Patricia Leith

Attorney Docket Number

94756/4

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

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Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

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Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

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Terminal Disclaimer

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After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):

Interview Summary

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Fried Frank Harris Shriver & Jacobson LLP

Signature

Michael David / k.d.

Printed name

Michael David

Date

12/13/08

Reg. No.

44,642

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Frame, Anne D.)	Group Art Unit: 1655
)	
Serial No.: 10/500,098)	Examiner: Patricia Leith
)	
Filed: 12/17/02)	Attorney Docket No.: 94756/4
)	
For: Anti-bacterial Plant Compositions)	

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INTERVIEW SUMMARY

Assistant Commissioner for Patents
Washington, D.C. 20231

REMARKS

The Applicant's representative wishes to extend the Examiner a sincere "thank you" for having held, over the previous 3-4 weeks, a couple of telephonic interviews with the undersigned. To summarize, cumulatively, the interviews, the Examiner has indicated that she is withdrawing the remaining rejections, which were based on 35 U.S.C, §112. Furthermore, Examiner Leith has conducted an additional search, before allowance. She identified the Japanese Patent Application 09-121672, Publication No. 10-298095 as a "hit" of possible interest. Upon review of a translation of that Japanese patent application, the Examiner has concluded that the Japanese application is not an impediment to the patentability of the present U.S. application. Accordingly, the Examiner has agreed to issue a Notice of Allowance of the present application. Please note that the Final rejection was dated 08/28/2007; the Applicant besieges the Examiner to issue the Notice of Allowance soon, to spare the Applicant the cost of unnecessary filings.

The Applicant has indicated she will withdraw the non-elected claims. The undersigned and the Examiner have also discussed the addition of certain claims, which the Examiner kindly offered to introduce by an Examiner's amendment.

Should at any time during prosecution, the Examiner feel that a call to the Applicant's representative might help clear questions, the Examiner is invited to call.

Date: February 12, 2008

By: Michael David
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